## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARY K. BOLEY, KANDIE SUTTER and PHYLLIS JOHNSON, individually and on behalf of all others similarly situated,	) ) )
Plaintiffs,	) CIVIL ACTION NO.: 2:20-CV-02644
V.	)
UNIVERSAL HEALTH SERVICES, INC., THE UHS RETIREMENT PLANS INVESTMENT COMMITTEE, and JOHN DOES 1-20.	) ) ) )
Defendants.	) )

## STIPULATION AND [PROPOSED] ORDER REGARDING CLASS NOTICE

Plaintiffs, Mary K. Boley, Kandie Sutter, and Phyllis Johnson (collectively, "Plaintiffs"), together with Defendants, Universal Health Services, Inc. and Universal Health Services, Inc. Retirement Plans Investment Committee (collectively, "Defendants," and together with Plaintiffs, the "Parties"), by and through their respective counsel, hereby stipulate and agree:

WHEREAS, on March 8, 2021, the Court certified this action as a class action under Federal Rule of Civil Procedure 23(b)(1)(B) ("Certification Order") (ECF No. 57);

WHEREAS, on March 22, 2021, Defendants filed a petition under Federal Rule of Civil Procedure 23(f) ("Rule 23(f) Petition") seeking permission to appeal the Certification Order (3d Cir. No. 21-8014, ECF No. 1-1);

WHEREAS, on March 30, 2021, the Court entered an order (ECF No. 64) approving of Plaintiffs' proposed form of class notice ("Class Notice") and directed the distribution of such Class Notice within 20 days of an order of the Court of Appeals disposing of Defendants' Rule 23(f) Petition but no later than August 2, 2021 absent further order;

WHEREAS, the Court of Appeals granted Defendants' Rule 23(f) Petition (3d Cir. No. 21-8014, ECF No. 12-1) and set a briefing schedule for the appeal ("Appeal"), which, as amended, provides that Defendants shall file their opening appellate brief and appendix on August 2, 2021; and

WHEREAS, because the Appeal could result in changes to the definition and membership of the Class, as currently certified, the Parties agree that it would conserve the Parties' resources and serve the interests of judicial economy to defer the distribution of Class Notice until the Court of Appeals has adjudicated the Appeal.

IT IS STIPULATED, that the deadline for distribution of the Class Notice, as approved by the Court, shall be extended through and including 45 days after any decision by the Court of Appeals fully adjudicating the Appeal.

Dated: July 28, 2021 Respectfully submitted,

/s/ James C. Shah

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Counsel for Defendants

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IT IS SO ORDERED.	
Dated:, 2021	
	The Honorable Mark. A. Kearney, U.S.D.J.